

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA

v.

SHENG THAO, ANDRE JONES, DAVID  
TRUNG DUONG, ANDY HUNG DUONG,

Defendants

Case No. 4:25-CR-00003-YGR

**DECLARATION OF NEAL J. STEPHENS IN SUPPORT OF MOTION FOR *FRANKS*  
HEARING AND SUPPRESSION OF EVIDENCE**

I, Neal J. Stephens, hereby declare as follows:

1. I am a partner in the law firm Jones Day and serve as counsel of record for David Trung Duong in *United States v. David Duong, et al.*, Case No. 4:25-CR-00003-YGR. I am a member of the Bar of the State of California. I submit this declaration in support of the Motion for a *Franks* Hearing. I have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.

2. Attached as Exhibit 1 is a true and correct copy of the warrant affidavit that FBI Agent Duncan Haunold presented to Magistrate Judge Kandis A. Westmore on June 14, 2024.

3. Attached as Exhibit 2 is a true and correct copy of the warrant affidavit that FBI Agent Ethan Quinn presented to Magistrate Judge Donna M. Ryu on June 20, 2024.

4. Attached as Exhibit 3 is a true and correct copy of the warrant affidavit that FBI Agent Duncan Haunold presented to Magistrate Judge Donna M. Ryu on March 22, 2024.

5. Attached as Exhibit 4 is a copy of Co-Conspirator 1's litigation records in Alameda County. These records were obtained by running a name search on the County of Alameda Superior Court Records website at: <https://eportal.alameda.courts.ca.gov/>.

6. Attached as Exhibit 5 is a true and correct copy of a complaint filed by M.B. and H.B. against Co-Conspirator 1 regarding a \$210,000 loan that Co-Conspirator 1 never repaid.

7. Attached as Exhibit 6 is an article entitled [REDACTED] published by CBS News in September 2012. The article is available at: <https://www.cbsnews.com/sanfrancisco/news> [REDACTED].

8. Attached as Exhibit 7 is a true and correct copy of the judgment in [REDACTED] v. [REDACTED] showing that Co-Conspirator 1 must pay the plaintiff \$338,040.

9. Attached as Exhibit 8 is a true and correct copy of the complaint filed by [REDACTED] against Co-Conspirator 1 regarding a \$50,000 loan that Co-Conspirator 1 never repaid.

10. Attached as Exhibit 9 is a true and correct copy of a notice of stay of proceedings in [REDACTED] v. [REDACTED] due to Co-Conspirator 1's bankruptcy filing on [REDACTED].

11. Attached as Exhibit 10 is a true and correct copy of the complaint filed by [REDACTED] against Co-Conspirator 1 for fraud and deceit.

12. Attached as Exhibit 11 is a copy of the opinion in [REDACTED] v. [REDACTED], [REDACTED] [REDACTED].

13. Attached as Exhibit 12 is a true and correct copy of the complaint filed by A.C. and L.T. alleging that Co-Conspirator 1 fraudulently pocketed the money that he was contracted to collect for plaintiffs.

14. Attached as Exhibit 13 is a true and correct copy of the judgment in [REDACTED] v. [REDACTED] [REDACTED] showing that Co-Conspirator 1 must pay plaintiffs \$164,100.54.

15. Attached as Exhibit 14 is a true and correct copy of the complaint filed by the City of Oakland against Co-Conspirator 1 to recover \$30,000 that Co-Conspirator 1 illegally withheld from collection of unpaid judgments.

16. Attached as Exhibit 15 is a true and correct copy of an FBI report containing information on the 2016 money laundering probe into Co-Conspirator 1.

17. Attached as Exhibit 16 is a true and correct copy of a complaint filed by the California Department of Real Estate ("DRE") against Co-Conspirator 1 for conversion of funds for his own use and benefit or for purposes not authorized by the rightful owners of said funds.

This complaint ([REDACTED]) is available at DRE Public License Search:  
[https://www2.dre.ca.gov/PublicASP/pplinfo.asp?License\\_id=\[REDACTED\]](https://www2.dre.ca.gov/PublicASP/pplinfo.asp?License_id=[REDACTED]).

18. Attached as Exhibit 17 is a true and correct copy of the Order Accepting Voluntary Surrender of Real Estate License issued by the California Bureau of Real Estate. Attached to the Order is Co-Conspirator 1's declaration that he voluntarily surrendered his real estate license in lieu of proceeding in the disciplinary matter. This Order ([REDACTED]) is available at DRE Public License Search:  
[https://www2.dre.ca.gov/PublicASP/pplinfo.asp?License\\_id=\[REDACTED\]](https://www2.dre.ca.gov/PublicASP/pplinfo.asp?License_id=[REDACTED]).

19. Attached as Exhibit 18 is a true and correct copy of a report prepared by Oakland Police Department Ofc. Mercado to document investigative activities related to [REDACTED]  
[REDACTED] at Co-Conspirator 1's residence.

20. Attached as Exhibit 19 is a true and correct copy of a canvass report prepared by the FBI to record statements of Co-Conspirator 1's neighbors regarding [REDACTED].

21. Attached as Exhibit 20 is a true and correct copy a report prepared by Oakland Police Department Ofc. Jaeger to document investigative activities related to [REDACTED]  
at Co-Conspirator 1's residence.

22. Attached as Exhibit 21 is a true and correct of a report prepared by FBI Special Agents Katherine Barclay and Duncan Haunold documenting their meeting with Co-Conspirator 1 on June 10, 2024.

23. Attached as Exhibit 22 is a true and correct copy of the search warrant affidavit that FBI Agent Duncan Haunold presented to the Magistrate Judge Donna M. Ryu on June 18, 2024.

24. Attached as Exhibit 23 is a true and correct copy of a Crime Report prepared by Oakland Police Department officers to document investigative activities conducted on the night of [REDACTED] at Co-Conspirator 1's residence.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 31<sup>st</sup> day of October 2025, in Palo Alto, California.

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Neal J. Stephens